



MONTANA SECRETARY OF STATE

EXHIBIT Feb 16th

DATE # 1

HB 489

LINDA McCULLOCH

HB 489: Revise rules for determining residency req. for reg/voting
House State Administration, RM 455
February 16, 2011 @ 8 AM
Secretary Linda McCulloch's Testimony

- Good morning Madam Chair, members of the committee. For the record, I am Linda McCulloch, Montana Secretary of State.
- I respectfully oppose this bill because it is confusing and can be interpreted with varying intent.
- At face-value, this bill is fundamentally un-Democratic.
- It prohibits military servicemen and servicewomen from participating in Montana elections. The bill provides a residency exception for those serving in a reserve component – but I ask, why other members of the military are not included.
 - ***Would our office be required to refuse registration and voting rights to those service members included in the federal UOCAVA Act?
- This bill appears to target more than just our military voters.
- Hardworking Montanans that are temporarily working out-of-state or providing long-term care for a relative would be prohibited from voting.
 - That is, unless they had thick pocket-books and could afford a home in both states.
- Montana's college students – including those who intend to return home after graduation – would be prohibited from voting.
 - This bill prohibits them from listing their home address as a primary residence – since it is not their primary place of habitation.

- I find this ironic, because it appears this bill also makes it easier for college students coming from out-of-state to register and vote in Montana elections.
- Current law allows someone to maintain their residency if they have the “intention” of returning to a primary residence in Montana after an absence.
- Residency requirements must be met to qualify as a candidate for office – which means that only those with the most privileged bank accounts could afford to run for federal office.
- As a citizen legislature, I am confident you can agree that limiting someone from running for office based on their ability to pay for a home in more than one state, is fundamentally un-democratic.
- Telling hardworking Montanans that they cannot vote while temporarily living or working out-of-state, is fundamentally un-democratic.
 - ***Especially when you consider that our richest neighbors, would have no problem affording both residences!
- I am not sure if these implications were intended or not, but I ask that you oppose this bill. It is confusing and leaves too many questions unanswered.
- Thank you for your time.